



**STATE OF TENNESSEE
DEPARTMENT OF COMMERCE AND INSURANCE
BOARD OF FUNERAL DIRECTORS AND EMBALMERS**
500 JAMES ROBERTSON PARKWAY, SECOND FLOOR
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**BOARD MEETING AGENDA
JANUARY 10, 2006, 10:00 A.M. (CENTRAL TIME)
DAVY CROCKETT TOWER, CONFERENCE ROOM 160
NASHVILLE, TENNESSEE**

CALL TO ORDER AT _____ BY _____

ROLL CALL:

<u>BOARD MEMBERS</u>	<u>PRESENT</u>	<u>ABSENT</u>
RALPH BUCKNER	_____	_____
DANNY COOK	_____	_____
BOB FOSTER	_____	_____
WENDY HELLUM	_____	_____
DAVID MURPHY	_____	_____
STEPHEN MURPHY	_____	_____
NANCY VINCENT	_____	_____

APPROVAL OF MINUTES FOR THE DECEMBER 13, 2005 MEETING:

MOTION _____ SECOND _____ PASS/FAIL _____

WELCOME NEW BOARD MEMBER:

Mr. David W. Murphy of Martin was appointed by Governor Phil Bredesen to a term effective January 1, 2006 through December 31, 2009, representing West Tennessee.

APPROVAL OF INDIVIDUAL LICENSES:

**ANTHONY JACKSON
MORRISTOWN, TN**

Funeral Director

Mr. Jackson completed his apprenticeship at Dockery Funeral Home in Morristown under the supervision of Joseph Senter, Funeral Director license #4540 and Embalmer

license #4694. Mr. Jackson passed the Arts Section of the National Board Exam on September 6, 2005 and the Tennessee Laws and Rules Exam on December 12, 2005.

MOTION _____ SECOND _____ PASS/FAIL _____

DONNA G. KILGORE
WHITWELL, TN

Funeral Director

Ms. Kilgore completed her apprenticeship at Whitwell Memorial Funeral Home, Inc., in Whitwell under the supervision of Jerry W. Pelfrey, Sr., Funeral Director license #4234. Ms. Kilgore passed the Tennessee Funeral Director Exam on September 23, 2005 and the Tennessee Laws and Rules Exam on December 12, 2005.

MOTION _____ SECOND _____ PASS/FAIL _____

HENRY CECIL SMITH
LAWRENCEBURG, TN

Funeral Director/Embalmer
Reciprocity

Mr. Smith is currently licensed in the State of Indiana, Funeral Director license #20000360. Mr. Smith passed the National Board Exam on September 8, 1999 and was issued a dual license by the Indiana State Board of Funeral and Cemetery Service on December 22, 2000. He passed the Tennessee Laws and Rules Exam on December 12, 2005.

MOTION _____ SECOND _____ PASS/FAIL _____

APPROVAL OF ESTABLISHMENT LICENSES:

WEAVER FUNERAL HOME
BRISTOL, TN

Name Change
Ownership: Corporation

The ownership would like the establishment name changed to **Weaver Funeral Home and Cremation Services** and retain license #229. The establishment is owned by CRF Corporation in Bristol, TN. The manager will be Daniel W. Ownby, Funeral Director license #5240.

MOTION _____ SECOND _____ PASS/FAIL _____

GILMORE FUNERAL HOME, LLC
MANCHESTER, TN

Change of Ownership/Name Change
New Ownership: LLC

This establishment is owned by Mayberry-Buckner Enterprises, LLC. The manager will be Timothy M. Kilgore, Funeral Director license #3310 and Embalmer license #3677. The new ownership would like the establishment name changed to **Gilmore Chapel**

of Manchester Funeral Home and retain establishment license #127.

MOTION _____ **SECOND** _____ **PASS/FAIL** _____

OLIVER SPRINGS MORTUARY
OLIVER SPRINGS, TN

Change of Ownership/Name Change
New Ownership: LLC

This establishment is owned by Jackson-Oliver Mortuary Services, LLC. The members of this limited liability company are Larry D. Oliver and Rhonda J. Oliver. The manager will be Rhonda Jackson Oliver, Funeral Director license #5268 and Embalmer license #5269. The new ownership would like the establishment name changed to **Jackson-Oliver Mortuary Services, LLC** and retain establishment license #1074.

MOTION _____ **SECOND** _____ **PASS/FAIL** _____

BELLS FUNERAL HOME
BELLS, TN

Change of Ownership
Ownership: LLC

This establishment is owned by Evergreen Services of Brownsville, LLC in Cleveland, TN. The members of this Limited Liability Company are David T. Bowers of Cincinnati, Ohio; Chris Mayberry of Normandy, TN; Charles B. Burns, Jr., Phillip Howard, James F. Logan, Jr., Lorine Lorino, Ben Stevenson, and Ralph and Chari Buckner all of Cleveland, TN; Ellis Galyon of Nashville, TN; Julian Peeples of Dalton, Georgia; Lauren W. McDonald, III, and Edward F. Scarbrough both of Cumming, Georgia and TW Financial, LLC and Tim Kalthoff both of Knoxville, TN. The manager will be Terry Ann Rankin, Funeral Director license #4547. The new ownership would like to retain establishment license #944.

MOTION _____ **SECOND** _____ **PASS/FAIL** _____

BROWNSVILLE FUNERAL HOME
BROWNSVILLE, TN

Change of Ownership
Ownership: LLC

This establishment is owned by Evergreen Services of Brownsville, LLC in Cleveland, TN. The members of this Limited Liability Company are David T. Bowers of Cincinnati, Ohio; Chris Mayberry of Normandy, TN; Charles B. Burns, Jr., Phillip Howard, James F. Logan, Jr., Lorine Lorino, Ben Stevenson, and Ralph and Chari Buckner all of Cleveland, TN; Ellis Galyon of Nashville, TN; Julian Peeples of Dalton, Georgia; Lauren W. McDonald, III, and Edward F. Scarbrough both of Cumming, Georgia and TW Financial, LLC and Tim Kalthoff both of Knoxville, TN. The manager will be Terry Ann Rankin, Funeral Director license #4547. The new ownership would like to retain establishment license #945.

MOTION _____ **SECOND** _____ **PASS/FAIL** _____

**AUSTON-VICTORY FUNERAL HOME
MEMPHIS, TN**

**New Establishment
Ownership: Partnership**

This establishment is owned by Booker T. Auston, Jr., and Monica L. Auston of Cordova, TN. The manager will be Monica L. Auston, Funeral Director license #3316.

MOTION _____ SECOND _____ PASS/FAIL _____

**LEGAL REPORT:
WAYNE PUGH, STAFF ATTORNEY
LAUREN KITCHELL, STAFF ATTORNEY**

**STAFF REPORT:
ROBERT B. GRIBBLE, EXECUTIVE DIRECTOR**

1. Closed Establishments:

There have been three establishments closed since the last board meeting.

Bond Funeral Home – Milan, TN

The office received a facsimile on December 13, 2005, from Herman Bond, the manager, stating the establishment located at 3005 West Jackson Street closed effective December 13, 2005.

J. A. Welton & Son Funeral Home – Shelbyville, TN

The office received a facsimile on December 20, 2005, from Tracie Welton Burnett, the manager, stating the establishment located at 1101 North Main Street closed effective December 15, 2005.

Buena Vista Funeral Home, Inc. – Nashville, TN

The office received a facsimile on January 4, 2006, from John R. Bratten, Jr., the manager, stating the establishment located at 3634 Clarksville Pike closed effective January 1, 2006.

2. Disciplinary Actions:

The Board has approved the Consent Orders and Civil Penalties, and they have been signed and the civil penalties paid by the establishments. The Executive Director requests the Board's acceptance of the following Consent Orders.

Complaint No. 2005025301

Violation: Pricing violations, failure to provide statutorily required crematory disclosures, failure to include all necessary information on the permanent identification device, and failure to include the reason for embalming on the statement of funeral goods and services
Action: \$1250 Civil Penalty

Complaint No. 2005026731

Violation: Failure to timely register as a seller of preneed contracts, failure to list all caskets in the selection room on the price list, and pricing discrepancies

Action: \$750 Civil Penalty

Complaint No. 2005025401

Violation: Pricing violations and failure to provide statutorily required crematory disclosures

Action: \$750 Civil Penalty

Complaint No. 2005025091

Violation: Pricing violations, failure to provide statutorily required crematory disclosures, and failure to include all necessary information on the permanent identification device

Action: \$750 Civil Penalty

Complaint No. 2005024781

Violation: Pricing violations, failure to timely register as a seller of preneed contracts, and failure to make an embalmer's license available

Action: \$750 Civil Penalty

Complaint No. 2005027661

Violation: Advertising an unlicensed establishment and the individuals in the advertisement were not licensed funeral directors

Action: \$500 Civil Penalty

Complaint No. 2005039321

Violation: Failure to make the establishment license available and pricing violations including failure to list casket in the selection room on the price list

Action: \$500 Civil Penalty

Complaint No. 2005024681

Violation: Failure to file and retain cremation authorization forms and failure to make the establishment license available

Action: \$500 Civil Penalty

Complaint No. 2005025061

Violation: Failure to have a licensed funeral director in charge of establishment

Action: \$500 Civil Penalty

Complaint No. 2005025181

Violation: Pricing violation, failure to provide statutorily required crematory disclosures, and cremation of a dead human body before receiving all statutorily required information

Action: \$500 Civil Penalty

Complaint No. 2005025341

Violation: Failure to correct deficiencies on price lists

Action: \$500 Civil Penalty

Complaint No. 2005025431

Violation: Pricing violations, failure to provide required information on permanent identification device, failure to affix required

identification device on dead human body, and failure to make an embalmer's license available
Action: \$500 Civil Penalty

Complaint No. 2005027771

Violation: Failure to provide statutorily required crematory disclosures and failure to place required permanent identification device in urn
Action: \$500 Civil Penalty

Complaint No. 2005028141

Violation: Failure to offer a price list to the family and failure to provide an itemized statement of funeral goods and services
Action: \$250 Civil Penalty

Complaint No. 2005016071

Violation: Unprofessional conduct – several mistakes on the death certificate
Action: \$250 Civil Penalty

Complaint No. 2005028091

Violation: Failure to provide statutorily required crematory disclosures and failure to provide required crematory receipt for dead human body
Action: \$250 Civil Penalty

Complaint No. 2005024931

Violation: Failure to provide statutorily required crematory disclosures and failure to note the date and time the cremains were released
Action: \$250 Civil Penalty

3. Manager Changes

There have been six establishments change managers since the last board meeting.

Name of Establishment	Name of New Manager
Manchester Funeral Home, LLC Manchester, TN	Timothy M. Kilgore
Manchester Crematory Manchester, TN	Timothy M. Kilgore
Tullahoma Funeral Home, Inc. Tullahoma, TN	Kenneth Todd Hargrove
Alexander Funeral Home Gallatin, TN	Edward N. Larson
East Lawn Memorial Funeral Home, Inc. Kingsport, TN	Darrell Anthony Harris
Forest Hill FH and Memorial Park – Midtown Memphis, TN	Norma C. Scott

4. Next Board Meeting

The Executive Directors suggests the next meeting of the Board be on March 14th. This would assist in reducing the expenses of the Board for the fiscal year.

OTHER BUSINESS:

ADJOURN: